IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

Writ Petition No. 13098 of 2005

Between:

1. N.Yadagiri Reddy, S/o.N.Venkat Reddy
   R/o.Yacharam Village and Mandal, Ranga Reddy District.
2. Yara Narasimha, S/o.Narasimha,
   R/o.No.8, Christian Colony, Hasthinapuram, Saroornagar
   Mandal, Ranga Reddy District.
3. Banda Alivelu, W/o.B.Sreenivasa Reddy,
   R/o.Plot No.29, Christian Colony, Kharmanghat,

Ranga Reddy District.
4. M.Bharathamma, W.o.Pandu,
   R/o.3-5-77/14, RT.C. Colony, L.B.Nagar,

Ranga Reddy District – 500 074.
5. Nukala Narsimha, S/o. Venkataiah,
   R/o.Cheeded Village, Manchal Mandal,

Ranga Reddy District.

..... PETITIONERS

AND

1. The State A.P. rep by its Spl. Chief Secretary to the Revenue

Department, Secretariat, Hyderazbad.
2. The District Collector, R.R. District, Khairatabad, Hyderabad.
3. The District Registrar of Stamps and Registration,

Ranga Reddy District.
4. The Sub-Registrar, Champapet, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, and call for records pertaining to the order of refusal of Registration Nos.404/2003, 482/2003, dt.2.8.2003, 836/03 dt.24.11.2003, 909/03 dt.24.11.2003 and 588/02, dt.8.1.2002 respectively, issued by the 4th respondent herein and set aside the same by declaring as illegal, arbitrary, discriminatory and violative of Article 14 of the Constitution of India and the provisions of the Registration Act and the Rules made there under and consequently direct the 4th respondent herein effect Registration of the Sale Deeds executed by the Vendors P.Sailaja in favour of 1st petitioner in respect of Plot No.76 admeasuring 267 sq.yards in Survey No.59 Part under Ward No.8, Block No.7 of Teachers Colony Phase IV, Karmanghat, Saroornagar Mandal, Ranga Reddy District, Sale Deed executed by G.Narayan Reddy and others in favour of 2nd petitioner in respect of Plot No.1 admeasuring 153 Sq. yards in Sy.No.57 situated at Ward No.8 Block No.6, adjacent to Charistian Colony of Karmanghat Village, Saroornagar Revenue Mandal, R.R.District, Sale Deed executed by Smt.Ch.Shailaja and another in favour of 3rd petitioner in respect of Plot No.15 of Northern part admeasuring 102 Sq.Yards in Survey No.57 (old) Sy.No.57 (Part) situated at Ward No.8, Block No.6, adjacent to Christian Colony of Karmanghat Village, Saroornagar Revenue Mandal, R.R. District, Sale Deed executed by S.Sravanthi of 4th petitioner in respect of Plot No.32 West Part admeasuring 122 Sq.yards in Sy.No.57 Part (Old), New No.57/C, Ward No.8, Block No.6, Srinivasapuram Colony, Karmanghat Village, Saroornagar Mandal, Ranga Reddy District, and Sale Deed executed by G.Niranjan and another in favour of 5th petitioner in respect of Plat Nos. 107 South Part and 108 North Part, admeasuring 140 Sq. Yards of Ward No.8, Block No.6, Chrisitian Colony, Karmanghat Village, Saroornagar Revenue Mandal, R.R.District, within the jurisdiction of the 4th respondent herein.

Counsel for the Petitioners: MR.M.K.RATNAM

Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE

The Court at the admission stage made the following :

O R D E R :

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue and with their consent the writ petition is disposed of at the stage of

admission.

2. The averments in the affidavit are that the petitioners, 5 in number, have purchased plots in Survey Nos. 57 to 60 in Karmanghat village, Saroornagar Revenue Mandal, Ranga Reddy District. It is their case that when they approached the fourth respondent-the Sub-Registrar, Champapet, Ranga Reddy District, to register their sale deeds, the same were refused on the ground that the first respondent issued G.O.Ms.No.751, dated 12.12.2001, wherein it was declared that registration of documents of immovable properties in Survey Nos.57 to 60 of Karmanghat village, was opposed to public policy with further direction to all the Sub-Registrars not to register any sale deeds in the said survey numbers by passing refusal orders. The said G.O.Ms.No.751, dated 12.12.2001 has now been denotified in G.O.Ms.No.807, dated 13.10.2004. In the light of the said G.O.Ms.No.807, dated 13.10.2004 the objections raised by the fourth respondent on the basis of G.O.Ms.No.751, dated 12.12.2001 no longer exists. Several writ petitions in this regard have already been disposed of.

3. Accordingly, this writ petition is disposed of with a direction to the respondents to release the documents presented by the petitioners after due registration without raising any objection on the basis of G.O.Ms.no.751, dated 12.12.2001.

4. However, it is made clear that except for the objections on the basis of G.O.Ms.No.751, dated 12.12.2001, it is open to the Registering Authority to raise any other objections provided the same are communicated to the petitioners within a period of four weeks from the date of receipt of a copy of this Order.

5. The writ petition is, accordingly, disposed of. No costs.

_____

RAMESH RANGANATHAN, J.

Dated: 21st June, 2005.

NOTE:

Issue C.C. within a week.

B/O

CS

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Special Chief Secretary to the Revenue Department,

State of A.P., Secretariat, Hyderazbad.
2. The District Collector, R.R. District, Khairatabad, Hyderabad.
3. The District Registrar of Stamps and Registration,

Ranga Reddy District.
4. The Sub-Registrar, Champapet, Ranga Reddy District.

5. Two C.Cs. to the Government Pleader for Revenue, High Court

Buildings, Hyderabad. (O.U.T.)

6. 2 CD copies

*Form-NIC-OGS/WP{**MPL**}*